

MONDAY, MARCH 24, 1997

TWENTIETH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by David Baker, Savannah Church of Christ, Savannah, Tennessee.

Representative Rinks led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present99

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 24: Rep(s). Hood as prime sponsor(s).

House Bill No. 231: Rep(s). Langster as prime sponsor(s).

House Bill No. 401: Rep(s). Roach, Maddox, Turner (Hamilton), Fitzhugh and Buck as prime sponsor(s).

House Bill No. 1231: Rep(s). Boyer as prime sponsor(s).

MONDAY, MARCH 24, 1997 -- TWENTIETH LEGISLATIVE DAY

House Bill No. 1366: Rep(s). Tidwell, White, Fitzhugh, Fraley, Newton, Walley and Maddox as prime sponsor(s).

House Bill No. 1551: Rep(s). Ferguson, Lewis, Arriola and Caldwell as prime sponsor(s).

House Bill No. 1823: Rep(s). Boner, Newton, Pinion and Maddox as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 131** -- Highway Signs - "Lindahl Parkway," S.R. 12, Cheatham and Davidson counties. by *Williams (Williamson), *Davidson, *Head.

Transportation Committee

House Joint Resolution No. 132 -- Memorials, Recognition and Thanks - March for Jesus. by *Boner, *Garrett, *Pruitt, *Langster, *Robinson, *West, *Odom, *Arriola, *Jones, S., *Halteman Harwell.

State & Local Government Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 26, 1997:

House Joint Resolution No. 133 -- Memorials, Public Service - Mary Mills. by *Williams (Williamson), *Davidson.

House Joint Resolution No. 134 -- Memorials, Academic Achievement - Kimberly T. Lee, All State Academic Team. by *Ford S.

House Joint Resolution No. 135 -- Memorials, Public Service - Robert Hill, establishment of G.E.D. preparation program for inmates. by *Ford S.

House Joint Resolution No. 136 -- Memorials, Retirement - John Patrick Mulloy, Jr. by *West.

House Joint Resolution No. 137 -- Memorials, Public Service - Clara Lynn Williams. by *McDaniel.

MONDAY, MARCH 24, 1997 -- TWENTIETH LEGISLATIVE DAY

House Joint Resolution No. 138 -- Memorials, Sports - 1996-1997 Oak Ridge High School girls' basketball team, TSSAA Class AAA state champions. by *Caldwell.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1957 -- Cocke County - Subject to local approval, revises whitewater rafting tax. Amends Chapter 116 of the Private Acts of 1995. by *Davis R.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

Senate Bill No. 94 -- Sunset Laws - Terminates Tennessee commodity producers board; transfers functions to commissioner of agriculture. Amends TCA Title 4, Chapter 29 and Title 43, Chapter 32. by *Springer. (*HB191)

Senate Bill No. 97 -- Sunset Laws - Board for licensing health care facilities, June 30, 1998. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 11. by *Springer. (*HB193)

***Senate Bill No. 173** -- Sexual Offenses - Creates Class E felony offense of unlawful sexual contact with animal. Amends TCA Title 39, by *Harper. (HB248)

***Senate Bill No. 543** -- Insurance, Motor Vehicles - Prohibits traffic citation received while operating with commercial driver license in course of employment from influencing personal automobile insurance. Amends TCA Title 56, Chapter 7, Part 11. by *Haun. (HB1177)

Senate Bill No. 1755 -- Wilson County - Authorizes Tenth Special School District of Wilson County (Lebanon) to issue \$1.1 million in bonds; provides for payment. Amends Chapter 330 of Acts of 1901, as amended. by *Rochelle. (HB1639)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 1954 -- Fayetteville -- Local Bill Held on House Desk

House Bill No. 1955 -- Anderson County -- Local Bill Held on House Desk

House Bill No. 1956 -- Tullahoma -- Local Bill Held on House Desk

CONSENT CALENDAR

***House Bill No. 231** -- Historical Commission - Requires placing historical plaque at Harold D. West Building on Meharry campus to recognize and commemorate cultural and historical significance of Dr. Harold D. West, first African-American president of Meharry Medical College. by *Pruitt. (SB206 by *Harper)

***House Bill No. 333** -- Municipal Government - Sets first election for city commissioners after adoption of initial charter; permits one time extension of terms. Amends TCA Title 6. by *Kent. (SB937 by *Miller J)

House Bill No. 826 -- Boats, Boating - Requires children age 12 and under to wear personal flotation devices while in open boat or on open deck of vessel under way. Amends TCA Title 69, Chapter 10. by *Rinks. (*SB384 by *Atchley)

House Bill No. 1059 -- Municipal Government - Exempts person appointed or acting in capacity of city manager or administrator possessing master of arts degree in public administration from municipal clerk certification requirements. Amends TCA Section 6-54-120(b). by *Huskey. (*SB1279 by *Koella)

House Bill No. 1141 -- Regional Authorities - Redistributes certain funds to entities in Giles County relative to abolition of Tennessee Elk River Authority. Amends Chapter 816 of the Public Acts of 1996. by *Fowlkes. (*SB1619 by *Cooper)

House Bill No. 867 -- County Government - Permits county to use pricing discount obtained by national association purchasing alliance as formal bid or price quote under purchasing law Amends TCA Title 12, Chapter 3, Part 10. by *Kisber. (*SB604 by *Henry)

On motion, House Bill No. 867 was made to conform with **Senate Bill No. 604**; the Senate Bill was substituted for the House Bill.

House Bill No. 1231 -- Taxes, Real Property - Streamlines process for filing application for tax relief Amends TCA Section 67-5-701. by *Kisber. (*SB1189 by *Henry)

House Bill No. 1532 -- Watertown - Subject to local approval, enacts "City of Watertown Traffic Regulation Cost Act.". by *Bone. (*SB192 by *Rochelle)

On motion, House Bill No. 1532 was made to conform with **Senate Bill No. 192**; the Senate Bill was substituted for the House Bill.

House Bill No. 1639 -- Wilson County - Authorizes Tenth Special School District of Wilson County (Lebanon) to issue \$1.1 million in bonds; provides for payment. Amends Chapter 330 of Acts of 1901, as amended. by *Bone. (SB1755 by *Rochelle)

On motion, House Bill No. 1639 was made to conform with **Senate Bill No. 1755**; the Senate Bill was substituted for the House Bill.

MONDAY, MARCH 24, 1997 -- TWENTIETH LEGISLATIVE DAY

***House Bill No. 1946** -- Chester County - Subject to local approval, repeals purchasing commission. - Repeals Chapter 277, Private Acts of 1949, as amended. by *Walley.

House Bill No. 1952 -- School Districts, Special - At unanimous request of Milan special school district board, revises property tax rate in district. Amends Chapter 504 of the Private Acts of 1945, as amended. by *Phelan. (SB1960 by *Carter)

House Bill No. 1953 -- Gates - Subject to local approval, revises charter relative to election of board of mayor and aldermen; deletes restriction on property tax increases by board; removes authority of board of mayor and aldermen to elect board of education. Amends Chapter 286 of the Private Acts of 1943; as amended. by *Fitzhugh. (SB1963 by *Leatherwood)

House Resolution No. 43 -- Memorials, Academic Achievement - Ned Andrews, Governor's Scholar. by *Caldwell.

House Resolution No. 44 -- Memorials, Death - Jack Rochelle. by *Fitzhugh.

House Resolution No. 45 -- Memorials, Sports - 1996 Houston High School girls' soccer team, state champions. by *Scroggs.

Senate Joint Resolution No. 106 -- Memorials, Personal Occasion - Hannah Grace Leatherwood, birth. by *Person, *Atchley, *Burks, *Carter, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Gilbert, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jordan, *Koella, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 108 -- Memorials, Retirement - Julie McCown. by *Henry, *Atchley, *Burks, *Carter, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Gilbert, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jordan, *Koella, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Rep. Hargrove moved that all members voting aye on Senate Joint Resolution No. 108 be added as prime sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 1512 -- Pensions and Retirement Benefits - Extends termination date from June 30, 1997 to June 30, 1998, for determining 3.6 percent increase in annual earnable compensation for members covered by noncontributory provisions of TCRS. Amends TCA Section 8-34-101(4)(B)(i). by *Rhinehart, *Cross, *Newton, *Westmoreland, *Walley, *Windle, *Ridgeway, *Miller L. (*SB370 by *Rochelle)

Rep. Rhinehart moved that **House Bill No. 1512** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 1020 -- County Officers - Requires clerk of court to file bills of sheriff with affidavit of sheriff certifying signature as authentic; authorizes sheriff or clerk to forward such bills to proper authorities for payment. Amends TCA Section 41-4-133. by *Buck. (*SB876 by *Jordan)

MONDAY, MARCH 24, 1997 -- TWENTIETH LEGISLATIVE DAY

Rep. Buck moved that **House Bill No. 1020** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes96
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 1028 -- Civil Procedure - Clarifies that statutes and rules of civil and criminal procedure prevail over any conflicting local rule of court concerning issuance of subpoenas and consequences of failing to respond to subpoena Amends TCA Title 16, Chapter 15; Title 24, Chapter 2 and Title 40, Chapter 17. by *Buck. (*SB1507 by *Crutchfield)

Rep. Buck moved that **House Bill No. 1028** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 24** -- Public Records - Designates unpublished telephone numbers, names and addresses in possession of emergency communications districts as confidential and not open to public inspection Amends TCA Section 10-7-504. by *Buck, *Newton, *Pinion. (SB57 by *Springer, *Graves, *Crowe)

Rep. Buck moved that House Bill No. 24 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 24 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 10-7-504, is amended by adding the following new subsection:

() Unpublished telephone numbers in the possession of emergency communications districts created pursuant to Tennessee Code Annotated, Title 7, Chapter 86, shall be treated as confidential and shall not be open for inspection by members of the public until such time as any provision of the service contract between the telephone service provider and the consumer providing otherwise is effectuated.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Buck moved that **House Bill No. 24**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

Representatives present and not voting were: Godsey -- 1.

A motion to reconsider was tabled.

***House Bill No. 1366** -- Agriculture - Removes humane society members' authority to arrest and confiscate vehicles for alleged animal cruelty; requires agricultural extension agent or livestock specialist to examine any livestock alleged to have been abused prior to arrest of owner or confiscation of livestock Amends TCA Title 39, Chapter 14, Part 2. by *Davidson, *Head, *Phelan, *Givens, *Bone, *Curtiss, *McDonald, *Jackson, *Buck, *Sands, *McDaniel. (SB1914 by *Burks)

Rep. Davidson moved that House Bill No. 1366 be passed on third and final consideration.

Rep. Givens moved adoption of Agriculture Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1366 by deleting Section 2 in its entirety and by substituting instead the following language:

SECTION 2. Tennessee Code Annotated, Section 39-14-210, is further amended by deleting subsection (d) in its entirety and relettering subsequent subsections accordingly and by deleting subsection (a) in its entirety and by substituting instead the following language:

(a) The agents of any society which is incorporated for the prevention of cruelty to animals, upon being appointed thereto by the president of such society in any county, may, within such county, make arrests, and bring before any court thereof offenders found violating the provisions of this part with regard to non-livestock animals.

AND FURTHER AMEND in Section 4 by inserting the language ", a graduate of an accredited college of veterinary medicine" between the language "county agricultural extension agent of such county" and the language "or a graduate from an accredited college of agriculture" in the first sentence of the amendatory language thereof.

AND FURTHER AMEND in Section 4 by inserting the language ", veterinary college graduate" between the language "If the extension agent" and the language "or livestock specialist" in the second sentence of the amendatory language thereof.

AND FURTHER AMEND by adding the following section immediately preceding the effective date section and by renumbering the effective date section accordingly:

SECTION __. Tennessee Code Annotated, Section 39-14-201, is amended by adding the following new subdivision:

() "Non-livestock animal" means a pet normally maintained in or near the household(s) of its owner(s) or other domesticated animal that is not classified as "livestock" pursuant to this part;

On motion, Amendment No. 1 was adopted.

Rep. Davidson moved Amendment No. 2 to the heel of the Amendments, which motion prevailed.

Rep. Davidson moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 1366 by deleting from SECTION 4 as amended by House Agriculture Committee Amendment # 1 the language "a graduate of an accredited college of veterinary medicine" and substituting instead the language "a graduate of an accredited college of veterinary medicine specializing in livestock practice".

FURTHER AMEND by deleting from SECTION 4 as amended by House Agriculture Committee Amendment # 1 the language "veterinary college graduate" and substituting instead the language "veterinary college graduate specializing in livestock practice".

FURTHER AMEND by deleting SECTION 1 of the printed bill in its entirety and renumbering subsequent sections accordingly.

On motion, Amendment No. 3 was adopted.

Rep. Bowers moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Dunn moved adoption of Amendment No. 5 as follows:

Amendment No. 5

AMEND House Bill No. 1366 by deleting Section 1 of the printed bill in its entirety and renumbering subsequent sections accordingly.

AND FURTHER AMEND by deleting Section 4, as amended, in its entirety and by substituting instead the following language:

SECTION 4. Tennessee Code Annotated, Title 39, Chapter 14, Part 2, is amended by adding the following as a new section:

Section____. No entry onto the property of another, arrest, interference with usual and customary agricultural or veterinary practices, confiscation, or any other action authorized by this part or any other provision of law shall be taken in response to an allegation that this part has been violated with regard to livestock unless, prior to or at the same time as such action, the livestock in question is examined by the county

agricultural extension agent of such county, a graduate of an accredited college of veterinary medicine, a person who has successfully completed a training course in animal cruelty investigation approved by the University of Tennessee institute of agriculture or a graduate from an accredited college of agriculture with a specialty in livestock. If the extension agent, veterinary college graduate, person trained in animal cruelty investigation or livestock specialist does not have probable cause to believe that a violation of this part has occurred with regard to such livestock, no action against the owner of such livestock described above shall be taken.

Rep. Davidson moved that Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes68
Noes26

Representatives voting aye were: Arriola, Bittle, Bone, Boner, Bowers, Brooks, Brown, Buck, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, Eckles, Ferguson, Fitzhugh, Fowlkes, Fraley, Garrett, Givens, Gunnels, Haley, Halteman-Harwell, Hargrove, Head, Hicks, Hood, Huskey, Jones U., Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Stulce, Tidwell, Turner (Hamilton), Turner (Shelby), Walker, Walley, Westmoreland, White, Whitson, Williams, Windle, Mr. Speaker Naifeh -- 68.

Representatives voting no were: Armstrong, Beavers, Bird, Boyer, Burchett, Chumney, Clabough, DeBerry J., Dunn, Godsey, Goins, Hargett, Hassell, Jones S., Kent, Kernell, Kerr, Odom, Robinson, Scroggs, Sharp, Stamps, Tindell, Towns, West, Wood -- 26.

Rep. Bowers moved adoption of Amendment No. 6 as follows:

Amendment No. 6

AMEND House Bill No. 1366 by adding the following new section immediately preceding the last section and by renumbering the subsequent sections accordingly:

Section _____. The provisions of this act shall not apply in any county having a population of not less than 825,000 nor more than 830,000, according to the 1990 federal census or any subsequent federal census.

Section _____. The provisions of this act shall not apply in any county having a metropolitan form of government with a population in excess of 100,000 according to the 1990 federal census or any subsequent federal census.

Rep. Head moved that Amendment No. 6 be tabled, which motion prevailed by the following vote:

Ayes60
Noes31

Present and not voting2

Representatives voting aye were: Bittle, Bone, Buck, Burchett, Caldwell, Clabough, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Eckles, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Gunnels, Hargrove, Head, Hicks, Hood, Huskey, Kerr, Kisber, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Rhinehart, Rinks, Roach, Sands, Sargent, Sharp, Stulce, Tidwell, Turner (Shelby), Walker, Walley, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 60.

Representatives voting no were: Armstrong, Bird, Boner, Bowers, Boyer, Brooks, Brown, Chumney, Cooper, DeBerry J., DeBerry L., Dunn, Ferguson, Godsey, Goins, Haley, Halteman-Harwell, Hargett, Hassell, Jones S., Jones U., Kent, Kernell, Langster, Miller, Odom, Pruitt, Scroggs, Tindell, Towns, West -- 31.

Representatives present and not voting were: Beavers, Turner (Hamilton) -- 2.

Rep. Chumney moved adoption of Amendment No. 7 as follows:

Amendment No. 7

AMEND House Bill No. 1366 by adding at the end of Section 4 the following:

 If a person authorized by this section does not make an inspection within twenty-four (24) hours of receipt of a complaint, then a licensed veterinarian may make such inspection.

On motion, Amendment No. 7 was adopted.

Rep. Buck moved adoption of Amendment No. 8 as follows:

Amendment No. 8

AMEND House Bill No. 1366 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

 Section _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 8 was adopted.

Rep. Davidson moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Boyer moved the previous question, which motion prevailed by the following vote:

Ayes75

Noes19

Representatives voting aye were: Arriola, Beavers, Bittle, Bone, Boner, Boyer, Brown, Buck, Caldwell, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Kerr, Kisber, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Sands, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, Westmoreland, White, Whitson, Williams, Windle, Winningham -- 75.

Representatives voting no were: Armstrong, Bird, Bowers, Brooks, Burchett, Chumney, DeBerry J., DeBerry L., Dunn, Goins, Jones S., Jones U., Kent, Kernell, Langster, Robinson, Sargent, West, Wood -- 19.

Rep. Davidson moved that **House Bill No. 1366**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes74
Noes21
Present and not voting2

Representatives voting aye were: Arriola, Beavers, Bird, Bittle, Bone, Boyer, Buck, Caldwell, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Hargrove, Head, Hicks, Hood, Huskey, Kerr, Kisber, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Sharp, Stamps, Stulce, Tidwell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 74.

Representatives voting no were: Armstrong, Boner, Bowers, Brooks, Brown, Burchett, Chumney, DeBerry J., DeBerry L., Dunn, Halteman-Harwell, Hargett, Hassell, Jones S., Jones U., Kent, Odom, Robinson, Scroggs, Tindell, West -- 21.

Representatives present and not voting were: Kernell, Langster -- 2.

A motion to reconsider was tabled.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

House Bill No. 1551 -- Textbooks - Provides for specific notice of meetings of state textbook commission to representatives of Tennessee school boards association, school superintendents' association, and Tennessee education association. Amends TCA Section 49-6-2201(i). by *Davidson, *Winningham, *Cross, *Stulce, *Maddox, *Rinks. (*SB42 by *Womack)

On motion, House Bill No. 1551 was made to conform with **Senate Bill No. 42**; the Senate Bill was substituted for the House Bill.

Rep. Davidson moved that **Senate Bill No. 42** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes95
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 681 -- Agriculture, Dept. of - Revises Tennessee Commercial Feed Law Amends TCA Title 44, Chapter 6. by *Givens. (*SB773 by *Burks)

Rep. Givens moved that House Bill No. 681 be passed on third and final consideration.

Rep. Givens moved adoption of Agriculture Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 681 by adding the following as new Sections 9, 10 and 11, and by redesignating Section 9 accordingly:

SECTION 9. Tennessee Code Annotated, Section 44-6-103(2), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(2) "Commercial feed" means all materials except unmixed seed, whole and unprocessed, when not adulterated within the meaning of this chapter, which are offered for sale as feed or mixing for feed; provided, that the commissioner by regulation may exempt from this definition, or

from specific provisions of this chapter, commodities such as hay, straw, stover, silage, cobs, husks, hulls and individual compounds or substances, when such commodities, compounds or substances are not intermixed or mixed with other materials, and are not adulterated within the meaning of this chapter;

SECTION 10. Tennessee Code Annotated, Section 44-6-103(5), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(5) "Customer-formula feed" means commercial feed which consists of a mixture of two (2) or more commercial feeds or a mixture of one (1) or more commercial feeds and one (1) or more feed ingredients or a mixture of two (2) or more feed ingredients, each batch of which is manufactured according to the specific instructions of the final purchaser;

SECTION 11. Tennessee Code Annotated, Section 44-6-103, is amended by adding the following language as a new, appropriately designated subdivision:

() "Commercial feed facility" or "licensed commercial feed facility" means a facility which manufactures or distributes commercial feed in this state and which is subject to licensure pursuant to this chapter;

AND FURTHER AMEND by deleting Section 7 of the printed bill in its entirety and by substituting instead the following language:

SECTION 7. Tennessee Code Annotated, Section 44-6-109, is amended by deleting subdivisions (a), (b) and (c) in their entirety, and by substituting instead the following:

(a) An inspection fee at the rate of ten cents (10¢) per ton shall be paid on commercial feed manufactured in excess of five hundred (500) tons per licensed commercial feed facility per calendar year and distributed in this state; provided, however, such inspection fees shall be applied against the annual license fee imposed by § 44-6-104 and no additional inspection fees shall be paid until the inspection fees imposed on a licensed commercial feed facility exceed the amount of such annual license fee. Such inspection fee shall be paid by the commercial feed facility that distributes the commercial feed to the consumer, subject to the following:

1) No fee shall be paid on a commercial feed if the payment has been made by a previous distributor;

(2) No fee shall be paid on customer-formula feeds if the inspection fee is paid on the commercial feeds which are used as ingredients therein;

(3) No fee shall be paid on commercial feeds which are used as ingredients for the manufacture of commercial feeds which are registered. If the fee has already been paid, credit shall be given for such payment; and

(4) No fee shall be paid by contract feeders;

(b) All licenses shall be conditioned on the applicant agreeing to keep such records as may be necessary to indicate accurately the tonnage and kinds of commercial feeding stuffs sold, and as are satisfactory to the commissioner, and granting the commissioner, or the commissioner's duly authorized representative, permission to examine such records and verify the statement of tonnage. Failure to make an accurate statement of tonnage or to pay the inspection fee or to otherwise comply as provided herein shall constitute sufficient cause for the cancellation of the license.

(c) The report shall be under oath, on forms furnished by the commissioner, and the reports shall be filed with the department of agriculture. The report of tonnage and inspection fee shall be due and payable semiannually, on the last day of January and July, covering the tonnage of commercial feeding stuffs sold during the preceding six (6) months based on a calendar year. If the report is not filed and the inspection fee paid by the tenth day following the due date, or if the report is false, the commissioner shall revoke the license, and if the inspection fee is unpaid after the ten-day grace period, the amount due shall bear a penalty of ten percent (10%) which shall be added to the inspection fee due and shall constitute a debt and become the basis of judgment against the securities or bonds hereinafter referred to provided, that no license shall be revoked until the licensee has first been given an opportunity to be heard before the commissioner in order to pay the fees required under this chapter.

AND FURTHER AMEND in Section 2 of the printed bill by adding the following language between the first and second sentences of the amendatory language of § 44-6-104(b):

Such license fee shall be applied to any inspection fees imposed pursuant to § 44-6-109.

AND FURTHER AMEND by deleting from the directory language of Section 5 of the printed bill the language "subdivision (E)" and by substituting instead the language "subdivision (D)".

AND FURTHER AMEND in Section 5 by deleting from the amendatory language of § 44-6-107(1)(G) the word "and" at the end of such subdivision.

On motion, Amendment No. 1 was adopted.

MONDAY, MARCH 24, 1997 -- TWENTIETH LEGISLATIVE DAY

Rep. Givens moved that **House Bill No. 681**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 979 -- Criminal Offenses - Prohibits person granted pretrial diversion for offense committed against person or family where victim is under 18 from having records of such offense expunged. Amends TCA Title 40, Chapter 35, Part 3 and Title 40, Chapter 15, Part 1. by *Haley, *Hargett, *Bittle, *Boyer, *Kent, *Cole (Carter), *McDaniel. (*SB957 by *Leatherwood)

Further consideration of House Bill No. 979, previously considered on March 20, 1997, at which time the House was on the motion to adopt Amendment No. 1, and reset to today's Calendar.

Rep. Haley moved that House Bill No(s). 979 be reset for the Regular Calendar on Wednesday, March 26, 1997, which motion prevailed.

House Bill No. 967 -- Codes - Updates edition of state's official electrical safety code to version published August 1, 1996. Amends TCA Title 68, Chapter 101. by *McDonald, *Winningham, *Cole (Carter), *Windle, *Boyer, *McKee, *Newton, *Hassell, *Fowlkes, *Ferguson, *Williams (Williamson). (*SB302 by *Rochelle)

Rep. McDonald moved that **House Bill No. 967** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes94
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell,

MONDAY, MARCH 24, 1997 -- TWENTIETH LEGISLATIVE DAY

Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

***House Bill No. 214** -- Civil Procedure - Authorizes owner of surrounding property to receive damages which include litigation costs and proportionate share of increase in value of surrounded land in actions to grant surrounded land owner right-of-way for private road and utility easement Amends TCA Section 54-14-109. by *Stulce. (SB117 by *Crutchfield)

Rep. Stulce moved that House Bill No(s). 214 be reset for the Regular Calendar on Wednesday, March 26, 1997, which motion prevailed.

***House Bill No. 215** -- Criminal Procedure - Makes penalty for failure to appear by defendant as required for Class A misdemeanor or felony offense, Class E felony; makes failure to appear for Class B or Class C misdemeanor offense Class A misdemeanor. Amends TCA Section 39-16-609. by *Stulce. (SB116 by *Crutchfield)

Rep. Stulce moved that House Bill No. 215 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 215 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

Rep. Stulce requested that House Bill No. 215 be moved to the heel of the Calendar.

***House Bill No. 639** -- Alcoholic Beverages - Redefines "community theater" to permit Bessie Smith Hall, Hamilton County to obtain liquor by drink permit Amends TCA Section 57-4-102. by *Brown. (SB1530 by *Crutchfield)

Rep. Brown moved that House Bill No. 639 be passed on third and final consideration.

Rep. Brown moved that House Bill No(s). 639 be reset for the Regular Calendar on Monday, March 31, 1997, which motion prevailed.

MONDAY, MARCH 24, 1997 -- TWENTIETH LEGISLATIVE DAY

House Bill No. 401 -- School Transportation - Permits LEA to transport students to and from school activities in van, provided van operated under rental agreement; exempts such vans from certain federal standards and guidelines Amends TCA Title 49, Chapter 6, Part 21. by *Westmoreland, *Godsey, *Mumpower, *Givens. (*SB297 by *Ramsey)

Rep. Westmoreland moved that House Bill No. 401 be passed on third and final consideration.

Rep. Westmoreland moved that House Bill No(s). 401 be reset for the Regular Calendar on Wednesday, March 26, 1997, which motion prevailed.

***House Bill No. 215** -- Criminal Procedure - Makes penalty for failure to appear by defendant as required for Class A misdemeanor or felony offense, Class E felony; makes failure to appear for Class B or Class C misdemeanor offense Class A misdemeanor. Amends TCA Section 39-16-609. by *Stulce. (SB116 by *Crutchfield)

Further consideration of House Bill No. 215, previously considered on today's Calendar at which time the House was on the motion to adopt Judiciary Amendment No. 1.

Rep. Stulce moved that House Bill No. 215 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 215 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

On motion, Amendment No. 1 was adopted.

Rep. Stulce moved that **House Bill No. 215**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	1
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton,

MONDAY, MARCH 24, 1997 -- TWENTIETH LEGISLATIVE DAY

Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 90.

Representatives voting no were: Turner (Shelby) -- 1.

Representatives present and not voting were: Brooks -- 1.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

BILLS WITHDRAWN

On motion of Rep. Newton, **House Bill No. 16** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. Newton, **House Bill No. 21** was recalled from the Government Operations Committee and withdrawn from the House.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1220: Rep(s). Bittle as prime sponsor(s).

House Bill No. 1307: Rep(s). McKee and McDaniel as prime sponsor(s).

House Bill No. 1822: Rep(s). Newton as prime sponsor(s).

House Bill No. 1825: Rep(s). Newton as prime sponsor(s).

MESSAGE FROM THE GOVERNOR

March 24, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 1, 23, 88, 89, 95, 96, 97, 98, 99, 102 and 106, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE SENATE

March 24, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 316. The Senate lifted the tabling motion on House Bill No. 316; reconsidered action in passing the bill; adopted Amendment No. 4, as amended, and repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 24, 1997

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 105, 107, 108, 109, 110, 111 and 112; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 24, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1927 and 1948; also, House Joint Resolution(s) No(s). 100, 103 and 113; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 24, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 264, 1017, 1243, 1322, 1498, 1526; also, Senate Joint Resolution(s) No(s). 126 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ROLL CALL

The roll call was taken with the following results:

Present98

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

MONDAY, MARCH 24, 1997 -- TWENTIETH LEGISLATIVE DAY

RECESS MOTION

On motion of Rep. Hargrove, the House recessed until 2:00 p.m., Wednesday, March 26, 1997.